

RECORD OF PROCEEDINGS
VILLAGE OF MINERVA PARK

Minutes of the

August 10, 2017

Special Council Meeting

Legal Counsel Gene Hollins called the meeting to order on August 10, 2017 at 7:00 p.m.

- ❖ Mr. Hollins stated that neither Mayor Eisentrout nor Council President Jennifer Pauken are present tonight but there is a quorum. We will have a motion for the election of a presiding officer for this evening's meeting.

Pledge of Allegiance

Invocation

Councilman Braun

- ❖ Mr. Hollins stated that there is no formal item on the agenda for Special Council meetings for citizens' comments, however it is our full intent to hear them this evening. Once the presiding officer is elected, it will be at his discretion and we would like the comments to be germane to the agenda items. According to our Rules of Council, the meeting must remain orderly.

Councilman Michels nominated Councilman Brian Wolf as presiding officer; Councilman Hansan seconded. The meeting was handed over to Councilman Wolf.

Roll Call:

Councilman John Michels, Councilman Scott Hansan, Councilman Michael Braun, Councilman Brian Wolf; Council President Jennifer Pauken and Councilman Russell Dobbins are excused.

Legislation:

RESOLUTION 2017-22

A RESOLUTION TO REPEAL RESOLUTION 2017-17 AND DECLARING AN EMERGENCY (1st Reading)

RESOLUTION 2017-23

A RESOLUTION AUTHORIZING AND RATIFYING THE EXECUTION BY THE MAYOR OF A REAL ESTATE PURCHASE CONTRACT FOR THE PURCHASE OF 2999 E. DUBLIN-GRANVILLE ROAD, AND DECLARING AN EMERGENCY (1st Reading)

- ❖ Councilman Wolf wanted to make a statement regarding tonight's legislation. We need to provide Village staff and the Police Department acceptable working conditions. Those conditions don't exist in this building. He has had a complaint from a staff person working in this building pertaining to frequent eye and sinus issues, which they believe comes from this working in this building. There have been complaints of past pest infestations that have been treated. We have had flooding issues when it rains, which destroyed police property and financial documents. We need to provide access to our facilities to all residents. We are not ADA compliant. We need a bathroom that someone in a

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wheelchair can enter. We need a Police station that someone in a wheelchair can access. We need to provide a professional work environment for Village staff to be able to do their work. Currently our Fiscal Officer works in a dungeon with only 1 way of egress. We only have 1 restroom per gender. If the Police need to obtain a urine sample from a detainee, his daughter or anyone else in here for a Brownie meeting or a Cub Scout meeting has to use that same restroom. We need to solve these problems as cost efficiently as possible. We looked at renovating this existing space, we looked at the cost effectiveness of a design built project and we looked at purchasing 2999 E. Dublin-Granville Road. He personally can attribute 80 hours of his life to building inspection due diligence. We also did fiscal due diligence. We looked at expenses and projected expenses to determine whether or not we could afford this building. We looked at building new versus purchasing this 2999 E. Dublin-Granville Road. He pointed out the we would have an income stream from other tenants in the building, which is currently bringing in \$100,000 a year. There is no scenario that building on this spot would come with an income. After the building is paid off, there will still be income being generated for the Village. Without that income, every other solution will be more expensive.

- ❖ Councilman Michels wanted to clarify 2 points. One point that Councilman Wolf didn't bring up is that sewer repairs will not be forsaken for the purchase of the building. He added that another point not discussed was the referendum. The question has come up as to why we have emergency language on this new replacement legislation that would, in effect, nullify and void the referendum process. Councilman Wolf mentioned fiscal stewardship in his remarks and he would like to point out that we are already \$10,000 over what we projected to pay for this building in nonrefundable costs because of a 30-day extension that the seller graciously agreed to while we work out whether or not this issue goes on the ballot. We do not know how much she will charge us for additional extensions or even if the building will be available after the election. The referendum process will add untold tens of thousands of dollars to this purchase price. As Finance Chairman, he cannot let the Village pay additional funds in extensions. At this point we are at the mercy of the seller who can charge whatever she wants for extensions.
- ❖ Councilman Wolf added that by letting this go to a referendum in November, there's a chance that this space won't be as full, there's a chance that the price will go up and there's a chance that we wouldn't be able to procure it and every other option is more expensive.

New Business:

- ❖ None

Old Business:

- ❖ None

Citizens' Comments:

- ❖ Chief Nuesse wanted to speak about the conditions downstairs. Detective Pocock talked about the scratchy eyes and raspy voice he gets from working downstairs in the Police Department. There is some kind of airborne substance, be it asbestos, radon gas, etc. that is affecting everyone working downstairs. Add to that the flooding in the Fiscal Officer's office that occurs during heavy rains, that has most likely caused mold and mildew. He added that the space downstairs is not secure in that when a suspect is arrested and brought downstairs to question, their civilian employee has no way to

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defend herself should the suspect become violent. If the suspect should need to use the bathroom, an officer must escort that suspect upstairs, putting the officer in an unsafe position due to the stairs.

- ❖ The Village Clerk of Courts, in an email, stated that since starting her employment with the Village, she has experienced headaches, sinus infections and can no longer wear contacts to work, bug infestations, mice and flooding that destroyed police financial records. This building continues to have ventilation problems despite numerous attempts to repair. We are forced to use fans and/or space heaters to regulate the temperature. She is not the only employee that is experiencing similar problems.
- ❖ Dick Busick, 2824 Maplewood Drive, expressed his concern regarding the repeal and stated he is against it.
- ❖ Betty Ann Zimmerman, 2685 Alder Vista Drive, expressed her concern with the repeal of the referendum. She asked for pros and cons for this purchase. She is against the repeal.
- ❖ Jean McCall, 5361 Park Lane Drive, asked if there were any air quality inspections done at the proposed building. There was none. She asked what will be done for the EMTs who will still be in this building. Mr. Fischer responded that still needs to be decided.
- ❖ Darren Zimmerman, 2685 Alder Vista Drive, asked about the quoted income from the proposed building. Councilman Wolf explained the advantages of a building that provides income to the Village as opposed to a building that does not. He asked if there is any other option in the Village that would be a solution. Councilman Wolf explained, again, that any other building will not come with a revenue stream for the Village, aside from the fact that to his knowledge, there are no other buildings for sale in the Village. Mr. Zimmerman stated that it seems like the owner thinks she has us over a barrel. Councilman Michels stated that she does now that there is a referendum.
- ❖ Mr. Hollins explained that by putting it on the ballot, it's a non-issue as it will terminate. If we don't purchase the building now, there's no assurance it'll be on the market later. There is no real reason for the referendum at this point. We may as well repeal the ordinance and get it off the ballot and then talk seriously about whether we purchase it now as a place-holder while we all work together to see if it can be the best option. If it doesn't turn out to be the best option, we can then sell it. Is that in the best interest of the Village? Council will have to decide.
- ❖ Another resident expressed his concern and dislike for the repeal.
- ❖ Mr. Hollins assured everyone that there has been no breach of Ohio Ethics Law regarding how the issue of the repeal has been handled by Council. In answer to Councilman Michels' question, Mr. Hollins indicated he has no knowledge of any Council member having been unethical at any time.
- ❖ Margaret Curry, 2567 Maplewood, expressed her displeasure over the purchase of the building.
- ❖ Lori Howard, 2785 Wildwood, strongly opposed the purchase of the building.
- ❖ Rob Pilder, 2794 Lakewood, wanted to point out the benefits of purchasing the building. He thinks it's a smart move.
- ❖ Tiffany Hughes, 2540 Jordan Road, stated she doesn't agree with the numbers that are being presented to residents. A lengthy conversation took place regarding revenue from the building.
- ❖ Councilman Michels wants to ask Mr. Hollins after each Executive Session, what can and cannot be shared with the public. He stated that this Council has always acted with the best interest of the residents in mind and that in spite of the negative feedback that was directed to him, he still feels he will vote in the best interest of the Village. His job is to make the best decision for the Village based on the information he has and sometimes that is not the most popular decision.
- ❖ Tony Benedetti, 2937 Berry Lane Court, voiced his displeasure with Council on the repeal legislation and stated that according to the Rules of Council, this repeal cannot happen.

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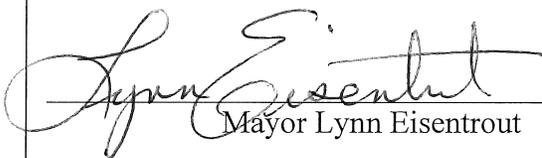
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- ❖ Ed Detwiler, 5361 Park Lane Drive, stated he was opposed to the repeal legislation.
- ❖ Mary Alice Busick, 28247 Maplewood, asked Mr. Hollins if he would follow the Rules of Council. Councilman Michels explained that Council amended those rules tonight. He further explained that Council waives the Rules of Council almost every meeting, by allowing a Council member to be paid for a meeting that he or she did not attend. Waiving the rules is permitted.
- ❖ Kelly Lobdell, 2824 North Bay Drive, stated there are lots of questions that are still not being answered. Councilman Braun replied that the answers have been provided numerous times. Residents who don't like the answers still have to accept that the answers to their questions have been provided.
- ❖ Matt Blair, 5336 Ponderosa Drive, expressed his lack of faith in Council for not sharing the information for the purchase of the building sooner. He feels the plans for the new space are extravagant. Chief Nuesse stated that a federal security representative, in his security assessment, indicated that these changes should be made in order to have proper security in our court room, council chambers and police department.
- ❖ Councilman Braun stated that the group of people who are pushing for the referendum are not teaching Council a lesson, they are hurting their fellow residents.
- ❖ Further discussion took place regarding communication and how Council can make improvements.
- ❖ Councilman Wolf stated that part of the long-term strategy for managing the building is to have a CIC, Community Improvement Commission, comprising of both Council members and residents.
- ❖ Mr. Hollins stated that 1 of 3 things will happen; no passage at all of these 2 ordinances, only the repealing ordinance passes or they both pass.

Councilman Wolf moved to adjourn; Councilman Michels seconded; passed.

The meeting adjourned at 9:03 p.m.



Mayor Lynn Eisentrout



Fiscal Office Kim Pulley